



OFFICE OF THE ATTORNEY GENERAL OF TEXAS
AUSTIN

GERALD C. MANN
ATTORNEY GENERAL

Honorable T. J. Crowe, Secretary
Texas State Board of Medical Examiners
918-19-20 Texas Bank Building
Dallas, Texas

Dear Sir:

Opinion No. O-5229

Re: A commissioned officer in the
Army of the United States may
legally hold the office of
member of the Texas State Board
of Medical Examiners.

Your request for opinion has been received and carefully considered by this department. We quote from your request as follows:

"I've been requested by Dr. M. M. Brown, of Mexia, Texas, a recently appointed member of this board, to ascertain from your department whether an active member of this board may at the same time hold a position as a member of this board and a commission, as Captain, Major or other official position with the United States Army?

" . . . "

We assume from your request that the member of the board is or will be commissioned as an officer in the Army of the United States as contradistinguished from the Regular Army.

If this assumption be correct we answer your question in the affirmative. In support of this holding see opinions Nos. O-5039, O-5090 and O-5102 of this department, copies of which are enclosed herewith, which cite the case of Cramer v. Sheppard, Tex. Sup. Ct., 167 S. W. (2) 147.

Very truly yours

APPROVED BY
Gerald C. Mann

ATTORNEY GENERAL OF TEXAS

By

Wm. J. Fanning
Wm. J. Fanning
Assistant

APPROVED
OPINION
COMMITTEE
BY *BLU*
CHAIRMAN

WJF:mp

Encl.